OPINIONS AND DECLARATIONS RENDERED BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

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OPINION 535

Protection under the Plenary Powers of the generic name Anchisauripus Lull, 1904 (Class Reptilia: Theropoda [Ichnites]), and matters incidental thereto by the suppression under the above Powers of two names currently regarded as nomina dubia

LONDON:

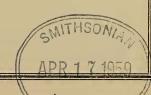
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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 535

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Dr. Alden H. Miller (Museum of Vertebrate Zoology, University of California, U.S.A.) (29th October 1954)

Doc. Dr. Ferdinand Prantl (Národni Museum V Praze, Prague, Czechoslovakia) (30th October 1954)

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Professor F. S. Bodenheimer (The Hebrew University, Jerusalem, Israel) (11th November 1954)

Professor Ernst Mayr (Museum of Comparative Zoology at Harvard College, Cambridge, Massachusetts, U.S.A.) (4th December 1954)

Professor Enrico Tortonese (Museo di Storia Naturale "G. Doria", Genova, Italy) (16th December 1954)

OPINION 535

PROTECTION UNDER THE PLENARY POWERS OF THE GENERIC NAME "ANCHISAURIPUS" LULL, 1904 (CLASS REPTILIA: THEROPODA [ICHNITES]) AND MATTERS INCIDENTAL THERETO BY THE SUPPRESSION UNDER THE ABOVE POWERS OF TWO NAMES CURRENTLY REGARDED AS "NOMINA DUBIA"

RULING:—(1) The under-mentioned names are hereby suppressed for the purposes of the Law of Priority but not for those of the Law of Homonymy:—

- (a) the generic name Otouphepus Cushman (J.A.), 1904;
- (b) the specific name *magnificus* Cushman (J.A.), 1904, as published in the combination *Otouphepus magnificus*.
- (2) The under-mentioned generic name is hereby placed on the Official List of Generic Names in Zoology with the Name No. 1325:—
 - Anchisauripus Lull, 1904 (gender: masculine) (type species, by original designation of *Eubrontes dananus* Hitchcock, 1845, a nominal species objectively identical with that specified below and through *Declaration* 21: *Ornithoidichnites sillimani* Hitchcock, 1843).
- (3) The under-mentioned specific name is hereby placed on the Official List of Specific Names in Zoology with the Name No. 1592:
 - sillimani Hitchcock, 1843, as published in the combination *Ornithoidichnites* sillimani (specific name of type species of *Anchisauripus* Lull, 1904).
- (4) The under-mentioned generic name is hereby placed on the Official Index of Rejected and Invalid Generic Names in Zoology with the Name No. 1223:—
 - Otouphepus Cushman (J.A.), 1904, as suppressed under the Plenary Powers in (1)(a) above.
- (5) The under-mentioned specific names are hereby placed on the *Official Index of Rejected and Invalid Specific Names in Zoology* with the name Numbers severally specified below:—
 - (a) magnificus Cushman (J.A.), 1904, as published in the combination Otouphepus magnificus, as suppressed under the Plenary Powers in (1)(b) above (Name No. 565);
 - (b) dananus Hitchcock, 1845, as published in the combination Eubrontes dananus (a junior objective synonym of sillimani Hitchcock, 1843, as published in the combination Ornithoidichnites sillimani) (Name No. 566);
 - (c) sillimanium Hitchcock, 1847, as published in the combination Brontozoum sillimanium (a junior objective synonym of sillimani Hitchcock, 1843, as published in the combination Ornithoidichnites sillimani) (Name No. 567).

(6) The under-mentioned family-group name is hereby placed on the Official List of Family-Group Names in Zoology with the name No. 254:—

ANCHISAURIPODIDAE Lull, 1904 (type genus: Anchisauripus Lull, 1904).

(7) The under-mentioned family-group name is hereby placed on the Official Index of Rejected and Invalid Family-Group Names in Zoology with the Name No. 284:—

OTOUPHEPODIDAE Lull, 1915 (type genus: Otouphepus Cushman (J.A.), 1904) (invalid under Declaration 20 through the suppression under the Plenary Powers in (1)(a) above of Otouphepus Cushman (J.A.), 1904, the name of the type genus of this nominal family-group taxon).

I. THE STATEMENT OF THE CASE

On 25th February 1956, Dr. Donald Baird (Assistant Curator of Vertebrate Paleontology, Museum of Comparative Zoology at Harvard College, Cambridge, Massachusetts, U.S.A.) communicated to the Office of the Commission the draft of a proposed application for the suppression by the Commission under the Plenary Powers of a generic name (Otouphepus) for a dinosaur and of a specific name (magnificus) for the type species of the genus so established which had been published in 1904 by the noted specialist in the Foraminifera, J. A. Cushman. These names, Dr. Baird explained, were nomina dubia but it was desirable that they should be disposed of before they could do any harm, for the generic name could possibly be interpreted as applying to the same taxonomic genus as did Anchisauripus Lull, 1904. This was a well-known genus and was the type genus of a family. After one or two minor matters had been cleared up in correspondence between the Secretary and the applicant, the following definitive application was submitted to the Commission on 22nd March 1956:—

Proposed use of the Plenary Powers (i) to protect the generic name "Anchisauripus" Lull, 1904, by suppressing the generic name "Otouphepus" Cushman, 1904, and (ii) to suppress the specific name "magnificus" Cushman, 1904, published in combination with the latter generic name (Class Reptilia:

Theropoda [Ichnites])

By DONALD BAIRD

(Museum of Comparative Zoology at Harvard College, Cambridge, Massachusetts, U.S.A.)

The object of the present application is to ask the International Commission on Zoological Nomenclature to use its Plenary Powers to suppress a nomen dubium, which, so long as it remains an available name, represents a potential threat to the stability of the nomenclature of an important group of dinosaurs. The names concerned are Otouphepus Cushman (J.A.), March 1904 (Amer. Geol. 33: 154) and magnificus Cushman, 1904 (ibid. 33: 155), published in combination with the foregoing generic name. These names were proposed by the noted specialist in Foraminifera, J. A. Cushman, for a supposed new genus and species of Upper Triassic dinosaur and were based upon a footprint from Gill, Massachusetts. The type specimen of Cushman's nominal species is an obscure imprint isolated from its trackway (Boston Soc. Nat. No. 12857).

- 2. Re-analysis by new methods indicates that Cushman's type specimen is not a true footprint but the distorted impression of a footprint transmitted to a sub-surface stratum. The most characteristic features of the supposed genus *Otouphepus* are thus considered artificial rather than morphological. A darkened web outline cited by Cushman as distinctive proves to have been painted on, probably by the original collector. Its obscurity makes this specimen impossible to characterize adequately by modern standards, though the observable structure appears to be that found in the genus *Anchisauripus* Lull, April 1904 (*Mem. Boston Soc. nat. Hist.* 5: 486).
- 3. The only other specimen referred specifically to O. magnificus, Yale Peabody Mus. No. 3386 (Lull, 1953, Connecticut geol. nat. Hist. Survey Bull. 81:177) is identifiable as a distorted imprint of Anchisauripus tuberosus (Hitchcock, 1836) and appears to be specifically distinct from the type specimen of Otouphepus magnificus Cushman.
- 4. Two nominal species subsequently referred to the genus *Otouphepus*, each known only from a single isolated imprint, resemble the type specimen of *Otouphepus magnificus* in obscurity of preservation but are quite different in morphology. The first reviser (Baird, 1956, *Bull. Mus. comp. Zool.*, in press) assigns *Otouphepus minor* Lull, 1915 (*Connecticut geol. nat. Hist. Surv. Bull.* 24:190) to the genus *Grallator* Hitchcock, 1858. The type specimen is "Yale Peabody Mus. No. 2059". The same reviser has assigned the second species, *Otouphepus poolei* Bock, 1952 (*J. Paleont.* 26:407) doubtfully to the species-group of *Anchisauripus tuberosus*, *exsertus* and *parallelus*, where small size is its only sure distinction. The type specimen is "Acad. Nat. Sci. Philadelphia No. 15223".
- 5. It is considered that the suppression under the Plenary Powers of the generic name *Otouphepus* Cushman, 1904, and of the specific name *magnificus* Cushman, 1904, as published in the combination *Otouphepus magnificus*, as *nomina dubia*, is desirable under Decision 26 of the Fourteenth International Congress of Zoology, Copenhagen, 1953 (1953, *Copenhagen Decisions zool. Nomencl.*: 24–25) for the following reasons:—
 - (a) The characteristics considered diagnostic by Cushman are not morphological but artifacts. All specimens referred to the genus *Otouphepus* are distorted in preservation, and the type specimens are indeterminate.
 - (b) Otouphepus magnificus is most similar (as its author Cushman noted) to Ornithoidichnites sillimani Hitchcock, 1843 (Assoc. Amer. Geologists Naturalists Rep. 1843: 256), the type species of the currently accepted genus Anchisauripus Lull, 1904. If these two nominal species should be congeneric or, even as seems probable though not provable, synonymous, then the name Otouphepus Cushman which was published one month earlier than Anchisauripus Lull, would take priority over that name. Thus a name applied to four obscure and heterogeneous specimens would replace the firmly established name for the best-known dinosaur footprint genus—a genus of world-wide distribution, represented by thousands of specimens assigned to several species. To relegate to synonymy a name such as Anchisauripus Lull which has been accepted and used for more than fifty years by all workers in the field would be a gross violation of the conservation principle.

- 6. As part of the present application it is proposed that the name Anchisauripus Lull, 1904, should be placed on the Official List of Generic Names in Zoology and thus be put beyond risk of further attack. Lull designated as the type species of this genus the nominal species Eubrontes dananus Hitchcock, 1845 (Assoc. Amer. Geologists Naturalists Rep. 1845: 23). That nominal species is, however, objectively identical with Ornithoidichnites sillimani Hitchcock, 1843 (paragraph 5(b) above). This was pointed out by Lull in 1915 (Connecticut geol. nat. Hist. Survey Bull. 24: 181) and all subsequent authors have cited the type species of Anchisauripus Lull, 1904, under This is in full accord with a recent decision by the International Commission in its Declaration 21 (1956, Ops. Decls. int. Comm. zool. Nomencl. 12: i-viii) under which it is prescribed that, where one of two or more objectively identical nominal species is designated, indicated or selected as the type species of a genus, that genus shall be cited as having as its type species the oldest established of the nominal species concerned. Thus, the specific name sillimani Hitchcock, 1843, should now be placed on the Official List of Specific Names in Zoology as the specific name of the type species of Anchisauripus Lull, 1904, while the objectively invalid name dananus Hitchcock, 1845, as published in the combination *Eubrontes dananus*, should be placed on the Official Index of Rejected and Invalid Specific Names in Zoology. At the same time there should also be placed on the above Official Index another objectively invalid junior synonym of sillimani Hitchcock, 1843, namely sillimanium Hitchcock, 1847 (Amer. J. Sci. (2) 4:49), as published in the combination Brontozoum sillimanium.
- 7. The generic name Anchisauripus Lull, 1904, was taken as the base for the family-group name ANCHISAURIPODIDAE by Lull in 1904 (: 486) at the time when he published this generic name. The above family-group name should now be placed on the Official List. In 1915 (Connecticut geol. nat. Hist. Surv. Bull. 24: 187) Lull, who then still accepted the generic name Otouphepus Cushman, erected the nominal family-group OTOUPHEPODIDAE. decision by the Commission in its Declaration 20 (1955, Ops. Decls. int. Comm. zool. Nomencl. 10: i-viii), the suppression by the International Commission of a generic name under its Plenary Powers carries with it automatically the suppression also under the same Powers of any family-group name based on that generic name. Since under the present proposals the Commission is being asked to use its Plenary Powers to suppress the generic name Otouphepus Cushman, that proposal carries with it a proposal that the family-group name OTOUPHEPODIDAE Lull, 1915, should be suppressed under those Powers. It is accordingly proposed that that family-group name should now be placed on the Official Index of Rejected and Invalid Family-Group Names in Zoology.
- 8. For the reasons set out in the present application the International Commission on Zoological Nomenclature is now asked:—
 - (1) to use its Plenary Powers to suppress the under-mentioned names for the purposes of the Law of Priority but not for those of the Law of Homonymy:—
 - (a) the generic name Otouphepus Cushman (J.A.), 1904;
 - (b) the specific name *magnificus* Cushman (J.A.), 1904, as published in the combination *Otouphepus magnificus*;
 - (2) to place the under-mentioned generic name on the Official List of Generic Names in Zoology: Anchisauripus Lull, 1904 (gender: masculine) (type species by original designation of Eubrontes dananus Hitchcock, 1845, and through Declaration 21: Ornithoidichnites sillimani Hitchcock, 1843);

- (3) to place the under-mentioned specific name on the Official List of Specific Names in Zoology: sillimani Hitchcock, 1843, as published in the combination Ornithoidichnites sillimani (specific name of type species of Anchisauripus Lull, 1904);
- (4) to place on the Official Index of Rejected and Invalid Generic Names in Zoology the generic name specified in (1)(a) above as there suppressed under the Plenary Powers;
- (5) to place the under-mentioned specific names on the Official Index of Rejected and Invalid Specific Names in Zoology:—
 - (a) the specific name specified in (1)(b) above as there suppressed under the Plenary Powers;
 - (b) the under-mentioned specific names, each of which is a junior objective synonym of *sillimani* Hitchcock, 1843, as published in the combination *Ornithoidichnites sillimani*:—
 - (i) dananus Hitchcock, 1845, as published in the combination Eubrontes dananus;
 - (ii) sillimanium Hitchcock, 1847, as published in the combination Brontozoum sillimanium;
- (6) to place the under-mentioned family-group name on the Official List of Family-Group Names in Zoology: ANCHISAURIPODIDAE Lull, 1904 (type genus: Anchisauripus Lull, 1904);
- (7) to place the under-mentioned family-group name on the Official Index of Rejected and Invalid Family-Group Names in Zoology:—
 OTOUPHEPODIDAE Lull, 1915 (type genus: Otouphepus Cushman (J.A.), 1915) (invalid under Declaration 20, through the suppression under the Plenary Powers of Otouphepus Cushman (J.A.), 1904, the name of the type genus of the family-group taxon so named).

II. THE SUBSEQUENT HISTORY OF THE CASE

- 2. Registration of the present application: Upon the receipt of Dr. Baird's application, the question of the protection under the Plenary Powers of the generic name *Anchisauripus* Lull, 1904 (Class Reptilia: Theropoda [Ichnites]), was allotted the Registered Number Z.N.(S.) 1081).
- 3. Publication of the present application: The present application was sent to the printer on 7th June 1956 and was published on 24th August of that year in Double-Part 7/8 of Volume 12 of the Bulletin of Zoological Nomenclature (Baird, 1956, Bull. zool. Nomencl. 12: 221-224).
- **4.** Issue of Public Notices: Under the revised procedure prescribed by the Thirteenth International Congress of Zoology, Paris, 1948 (1950, Bull. zool. Nomencl. 4:51-56), Public Notice of the possible use by the International Commission on Zoological Nomenclature of its Plenary Powers in the present case was given on 24th August 1956 (a) in Double-Part 7/8 of volume 12 of the Bulletin of Zoological Nomenclature (the Part in which Dr. Baird's application was published) and (b) to the other prescribed serial publications. In addition such Notice was given to four general zoological publications, two herpetological serials and three palaeontological serials.

- 5. Support received: The publication of the present application and the issue of the Public Notices in regard thereto elicited letters of support from five specialists (Canada, one; China, one; United Kingdom, one; U.S.A., two). The communications so received are reproduced in the immediately following paragraphs.
- 6. Support received from Edwin H. Colbert: On 21st November 1956, Dr. Edwin H. Colbert (*The American Museum of Natural History, New York*) addressed the following letter to the Office of the Commission in support of the present application (Colbert, 1957, *Bull. zool. Nomencl.* 13:31):—
 - Dr. Donald Baird of Harvard University has sent to me the separate of his paper proposing the use of the Plenary Powers to protect the generic name *Anchisauripus* Lull, and to suppress the generic name *Otouphepus* Cushman.

I am particularly interested in this proposal, because I have been doing detailed research on Triassic reptiles and amphibians during these past few years. This letter is being written in support of Dr. Baird's proposal. I am heartily in favour of it, and I think that if it is adopted it will clarify nomenclature of these particular Triassic forms, and certainly will help to prevent confusion in future literature.

7. Support received from D. M. S. Watson: On 3rd December 1956, Dr. D. M. S. Watson (*University College*, *London*) addressed the following letter to the Office of the Commission in support of the present case (Watson, 1957, *Bull. zool. Nomencl.* 13:101):—

I have read the article in the Bulletin of Zoological Nomenclature by Donald Baird, dealing with the generic name Anchisauripus Lull, and suppression of the generic name Otouphepus Cushman, and the specific name ascribed to it. I entirely agree that the procedure suggested in paragraph 8 of this paper should be adopted.

8. Support received from C. M. Sternberg: On 4th December 1956, Dr. C. M. Sternberg (*National Museum of Canada*, *Ottawa*) addressed the following letter to the Office of the Commission in support of the present case:—

I have carefully considered the application of Dr. Ronald Baird relating to the question of the generic name Anchisauripus Lull, 1904. I am in full accord with the suggestion of Dr. Baird, i.e. that the Commission suppress the generic and specific names Otouphepus magnificus Cushman (J.A.), 1904, and the specific names dananus and sillimanium. Also that the Commission place on the Official Lists of generic and specific names respectively Anchisauripus Lull, 1904, and sillimani Hitchcock, 1843.

I approve of Dr. Baird's request that the Commission place the family-group name anchisauripodidae Lull, 1904, on the *Official List of Family-Group Names in Zoology* and that it place on the *Index* of rejected family-group names otouphepodidae Lull, 1915.

9. Support received from C. C. Young: On 4th January 1957, Dr. C. C. Young (Academia Sinica, Peking, China) addressed the following letter to the Office

of the Commission in support of the present application (Young, 1957, Bull. zool. Nomencl. 13: 101):—

I have pleasure in agreeing about the protection of the generic name *Anchisauripus* Lul!, 1904, by suppressing the generic name *Otouphepus* Cushman, 1904, and the suppression of the specific name *magnificus* Cushman, 1904, published in combination with the latter generic name (Class Reptila: Theropoda [Ichnites]).

10. Support received from Joseph T. Gregory: On 30th January 1957, Dr. Joseph T. Gregory (Yale University, New Haven, Connecticut, U.S.A.) addressed the following letter to the Office of the Commission in support of the present application (Gregory, 1957, Bull. zool. Nomencl. 13: 102):—

I heartily support the petition of Donald Baird to have the Commission use its Plenary Powers to suppress the generic name *Otouphepus* Cushman, 1904, and the specific name *magnificus* Cushman, 1904, as published in the combination *Otouphepus magnificus*.

Certainly stability of nomenclature will be served by suppressing these names, based upon indistinct and incorrectly interpreted remains, in favour of the more generally used term *Anchisauripus*.

However, the proposed action of the Commission mentioned in *Bull. zool. Nomencl.* 12: 223, par. 8(2) of said application, namely to place the generic name *Anchisauripus* Lull, 1904, on the *Official List of Generic Names in Zoology* is scarcely warranted at present. *Anchisauripus* could easily be a synonym of *Brontozoum* Hitchcock, 1847. The problem is complicated by Hitchcock's failure to designate types of his genera, and various interpretations are possible. Dr. Baird is revising these footprints and proposes to resolve this problem in favour of *Anchisauripus*, by designating *Ornithichnites giganteum* as type species of *Brontozoum*, thus making that genus a junior synonym of *Eubrontes* (Hitchcock, 1845).

Although I am sympathetic with his viewpoint, one could make an equally good case for retaining *Brontozoum*. It was used and recognised for many years before Lull proposed *Anchisauripus*. As it is not necessary to officially conserve *Anchisauripus* in order to suppress the troublesome name *Otouphepus*, would it not be better to await Dr. Baird's article and fully consider his arguments before taking final action on *Anchisauripus*?

11. No Objection received: No objection to the action proposed in the present case was received from any source.

III. THE DECISION TAKEN BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

12. Issue of Voting Paper V.P.(57)31: On 15th March 1957 a Voting Paper (V.P.(57)31) was issued in which the Members of the Commission were invited to vote either for, or against, "the proposal relating to the generic name Otouphepus Cushman, 1904, and associated names, as set out in Points (1) to (7) in paragraph 8 on pages 223–224 in Volume 12 of the Bulletin of Zoological Nomenclature" [i.e. in the paragraph numbered as above in the paper reproduced in the first paragraph of the present Opinion].

- 13. The Prescribed Voting Period: As the foregoing Voting Paper was issued under the Three-Month Rule, the Prescribed Voting Period closed on 15th June 1957.
- 14. Particulars of the Voting on Voting Paper V.P.(57)31: At the close of the Prescribed Voting Period, the state of the voting on Voting Paper V.P.(57)31 was as follows:—
 - (a) Affirmative Votes had been given by the following twenty-three (23) Commissioners (arranged in the order in which Votes were received):

Mayr; Vokes; Hering; Boschma; Lemche; Bodenheimer; Riley; Prantl; Jaczewski; Holthuis; Dymond; Esaki; do Amaral; Bonnet; Hemming; Mertens; Key; Tortonese; Cabrera; Kühnelt; Stoll; Bradley (J.C.); Sylvester-Bradley;

(b) Negative Votes:

None:

(c) Voting Papers not returned, two (2):

Hankó: Miller.1

- 15. Declaration of Result of Vote: On 16th June 1957, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.(57)31, signed a Certificate that the Votes cast were as set out in paragraph 14 above and declaring that the proposal submitted in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.
- 16. Preparation of the Ruling given in the present "Opinion": On 30th April 1958, Mr. Hemming prepared the Ruling given in the present *Opinion* and at the same time signed a Certificate that the terms of that Ruling were in complete accord with those of the proposal approved by the International Commission in its Vote on Voting Paper V.P.(57)31.
- 17. Original References for Generic and Specific Names: The following are the original references for the generic and specific names placed on Official Lists and Official Indexes by the Ruling given in the present Opinion:—

Anchisauripus Lull, April, 1904, Mem. Boston Soc. nat. Hist. 5: 486 dananus, Eubrontes, Hitchcock, 1845, Assoc. Amer. Geologists Naturalists Rep. 1845: 23

magnificus, Otouphepus, Cushman (J.A.), March 1904, Amer. Geol. 33:155 Otouphepus Cushman (J.A.), March 1904, Amer. Geol. 33:154

sillimani, Ornithoidichnites, Hitchcock, 1843, Assoc. Amer. Geologists Naturalists Rep. 1843: 256

sillimanium, Brontozoum, Hitchcock, 1847, Amer. J. Sci. (2)4:49

¹ After the close of the Prescribed Voting Period a late affirmative vote was received from Commissioner Miller.

18. Original References for Family-Group Names: The following are the original references for the family-group names placed by the Ruling given in the present *Opinion* on the *Official List* or, as the case may be, on the *Official Index* of names for taxa of the family-group category:—

ANCHISAURIPODIDAE Lull, April 1904, Mem. Boston Soc. nat. Hist. 5:486 OTOUPHEPODIDAE Lull, 1915, Connecticut geol. nat. Hist. Surv. Bull. 24:187

- 19. Compliance with Prescribed Procedures: The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission by the undersigned Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.
- 20. "Opinion" Number: The present Opinion shall be known as Opinion Five Hundred and Thirty-Five (535) of the International Commission on Zoological Nomenclature.

Done in London, this Thirtieth day of April, Nineteen Hundred and Fifty-Eight.

Secretary to the International Commission on Zoological Nomenclature

FRANCIS HEMMING